

RESPONSE

This is a response to the Office Action dated May 31, 2007. The Examiner objected to informalities in claims 90, 92-94, 104 and 109. The Examiner rejected claims 51-55, 57-66, 68, 70-88 and 90-98, 102, 104-107 and 109-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub 2003/0046161 ("Kamangar"), in view of U.S. Pub 2003/0149938 ("McElfresh"). Claims 64, 70 and 80 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kamangar, in view of McElfresh, and further in view of U.S. Pat. No. 6,714,975 ("Aggarwal"). Lastly, claims 71 and 81 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kamangar, in view of McElfresh, further in view of Aggarwal and further in view of U.S. Pub. 2004/0186776 ("Llach").

The rejections and objections from the Office Action of May 31, 2007 are discussed below. No new matter has been added. Various claims have been amended for clarity. Reconsideration of the application is respectfully requested in light of the above amendments and the following remarks.

I. INTERVIEW SUMMARY

On Thursday, August 30, 2007, Michael Dreznes, an attorney for the Applicants, engaged in an interview with Supervisory Patent Examiner Doug Hutton and Patent Examiner Henry Orr. The interview focused on the differences between subject matter covered by potential claim amendments and the related art references cited in the Office Action of May 31, 2007, namely Kamangar, McElfresh, Aggarwal, and Llach. Specifically it was noted that the related art references only disclose a system for valuing and/or ordering advertisements, whereas the subject matter covered by potential claim amendments relate to a system for valuing and/or ordering not only advertisements, but a page component, such as web content, links, etc. Based on our discussions the Supervisor Examiner tentatively agreed that the amendments to independent claims 51, 77, and 90, would likely overcome the related art rejections in the Office Action of May 31, 2007, and move the prosecution forward.

II. OBJECTIONS TO THE CLAIMS

The Examiner has objected to informalities in claims 90, 92-94, 104 and 109. The claims have been amended to correct all of the informalities cited by the Examiner, thus the Applicants respectfully request that the Examiner withdraws his objections to the claims.

III. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 51-55, 57-66, 68, 70-88 and 90-98, 102, 104-107 and 109-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kamangar, in view of McElfresh. With this response, independent claims 51, 77, and 90 have been amended for clarity and not for reasons relating to patentability.

Kamangar relates to “a more effective advertising system which orders ads an [sic] a manner that maximizes both their relevance and their economic values.” Kamangar, ¶12. Kamangar teaches that “a potential benefit ... is that the search results 614 are maintained as distinct from the ads 618,” thus the search results are not included in the ad valuing/selecting. Kamangar, ¶51. Kamangar does not disclose a system that selects “at least one advertisement” and “at least one of a content, a link and a search result,” based on an actual value of the “at least one advertisement” and the “at least one of a content, a link and a search result,” as claimed in amended independent claims 51, 77, and 90.

McElfresh relates to a system for “optimizing placement of ads on a webpage.” McElfresh discloses “[a] generalized content block 42 is shown in the right-center of the page 40” and “[i]n addition, the peripheral blocks for placement of ads, or topic tiles, are arranged in order to maximize revenue generation for the webpage,” thus the content is not included in the arrangement to maximize revenue generation. McElfresh, ¶33. McElfresh does not disclose a system that selects “at least one advertisement” and “at least one of a content, a link and a search result,” based on an actual value of the “at least one advertisement” and the “at least one of a content, a link and a search result,” as claimed in amended independent claims 51, 77, and 90. .

Applicants respectfully submit that amended independent claims 51, 77, and 90, and all claims that depend thereon, are patentable over Kamangar in view of McElfresh because the combination of McElfresh and Kamangar fails to disclose all of the elements of amended independent claims 51, 77 and 90.

Dependent claims 64, 70, and 80 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kamangar, in view of McElfresh, and further in view of Aggarwal. As stated

above, neither McElfresh nor Kamangar teach a system that selects “at least one advertisement” and “at least one of a content, a link and a search result,” based on an actual value of the “at least one advertisement” and the “at least one of a content, a link and a search result,” as claimed. Aggarwal relates to “a method for placing advertisements [sic] web pages.” Aggarwal, Col. 2, line 51. Aggarwal discloses that “a primary object of the present invention is to provide a method for dynamically assigning advertisements to appropriate slots on appropriate web pages.” Aggarwal, Col. 2, ll. 33-35. Aggarwal does not teach a system that selects “at least one advertisement” and “at least one of a content, a link and a search result,” based on an actual value of the “at least one advertisement” and the “at least one of a content, a link and a search result,” as claimed in amended independent claims 51, 77, and 90. Accordingly, Applicants submit that claims 64, 70, and 80 are allowable over Kamangar, in view of McElfresh, and further in view of Aggarwal, because the combination of the references does not disclose all the elements of the independent claims from which they depend.

Dependent claims 71 and 81 were rejected under 35 U.S.C. §103(a) as being unpatentable over McElfresh, in view of Kamangar, further in view of Aggarwal, and further in view of Llach. As stated above, Kamangar, McElfresh and Aggarwal fail to disclose a system that selects “at least one advertisement” and “at least one of a content, a link and a search result,” based on an actual value of the “at least one advertisement” and the “at least one of a content, a link and a search result,” as claimed. Llach relates to “a system and method for generating and selecting targeted advertising using price metrics.” Llach, ¶2. Llach discloses that “[t]he targeted advertisement 110 is then selected or generated, embedded within the Web page 100’, transmitted to the user’s system, and displayed on the user’s system along with the results of the user’s request to the search engine, a list of Web sites,” indicating that search results are not included in the advertisement selection. Llach does not teach a system that selects “at least one advertisement” and “at least one of a content, a link and a search result,” based on an actual value of the “at least one advertisement” and the “at least one of a content, a link and a search result,” as claimed in amended independent claims 51, 77, and 90. Applicants submit claims 71 and 81 are allowable because the combination of Kamangar, Aggarwal and Llach fails to disclose all of the elements of the independent claims from which they depend.

CONCLUSION

Each of the rejections in the Office Action dated May 31, 2007 has been addressed and no new matter has been added. Applicants submit that all of the pending claims are in condition for allowance and notice to this effect is respectfully requested. The Examiner is invited to call the undersigned if it would expedite the prosecution of this application.

Respectfully submitted,

August 31, 2007

Date

/Michael G. Dreznes/

Michael G. Dreznes

Registration No. 59,965

Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200